

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Francischelli et al.

Examiner: Michael F. Peffley

Serial No.: 10/056,806

Group Art Unit: 3739

Filed: January 25, 2002

Docket No.: M190.135.101

Due Date: September 3, 2004 (w/ extensions)

Title: SYSTEM AND METHOD OF PERFORMING AN ELECTROSURGICAL
PROCEDURE

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. §1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Submission required under 37 C.F.R. §1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116
previously filed on _____. (Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief previously filed on
_____.

iii. ☐ Other _____.

b. ☒ Enclosed

i. ☒ Amendment/Reply.

ii. ☐ Affidavit(s)/Declaration(s).

iii. ☐ Information Disclosure Statement (IDS).

iv. ☒ Petition for One-Month Extension-of-Time.

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 35
C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3

months; Fee under 37 C.F.R. §1.17(l) required)

b. ☐ Other _____.

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3. **Fees** (The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed).

If an additional fee is required due to changes to the claims, the fee has been calculated as follows:

CLAIMS AS AMENDED						
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Present Extra	Rate	Fee
TOTAL CLAIMS	34	-	32	2	x 18.00 =	\$36.00
INDEPENDENT CLAIMS	5	-	3	2	x 86.00 =	\$172.00
[] MULTIPLE DEPENDENT CLAIMS PRESENTED						\$0.00
TOTAL						\$208.00

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0471.

- i. ☒ RCE fee (\$770.00) required under 37 C.F.R. §1.17(e).
- ii. ☒ Extension-of-Time fee (\$110.00) (37 C.F.R. §1.136 and 1.17).
- iii. ☒ Additional claim fees in the amount of \$208.00 (37 C.F.R. 1.16(b)(c))

Respectfully submitted,

David Francischelli et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC

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Date: August 9, 2004
TAC:jmc



Timothy A. Czaja
Reg. No. 39,649

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9th day of August, 2004.

By 

Name: Timothy A. Czaja